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21
22 UNITED STATES DISTRICT COURT
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24 NORTHERN DISTRICT OF CALIFORNIA
25
26 SAN FRANCISCO DIVISION

27 SONYA RENEE *et al.*,
28 Plaintiffs,
v.
MARGARET SPELLINGS, in her official capacity;
UNITED STATES DEPARTMENT OF EDUCATION,
Defendants.

Case No.

**PETITION OF MARIEL RUBIO
FOR ORDER APPOINTING HER
GUARDIAN AD LITEM**

Time:
Date:
Dept:

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17 Attorneys for PLAINTIFFS

1 Petitioner Mariel Rubio respectfully represents:

2 1. Petitioner is the parent of Danielle Rubio, a minor. The minor is 16 years of age.

3 2. The minor has claims for relief against the above-named defendants on which a suit
4 should be brought in this Court. The claims involve defendants' issuance of an unlawful regulation
5 defining a "highly qualified" teacher as one who "is participating" in an alternative route to
6 certification program, in violation of the Administrative Procedure Act (5 U.S.C. § 706).

7 3. The minor has no guardian of his/her person or estate.

8 4. Petitioner is willing to serve as the guardian ad litem for the minor, is fully competent
9 to understand and to protect the rights of the minor and has no interest adverse to that of the minor.

10 WHEREFORE, petitioner prays that she be appointed guardian ad litem of DANIELLE
11 RUBIO to prosecute this action for declaratory and injunctive relief, and for such other and further
12 relief as the court may deem proper.

1 Dated: July 31, 2007
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Mariel Rubio
MARIEL RUBIO